

## REMARKS

Favorable reconsideration of this application, in light of the present Response and in view of the following discussion, is respectfully requested.

Claims 1-4 are pending in the present application, and claim 1 is amended by the present Response.

As an initial matter, Applicants thank the Examiner for entry and consideration of the Response filed October 18, 2004. Applicants further respectfully request that acceptance of the drawings filed with this application on December 3, 2003, be acknowledged by checking the appropriate box at item 10 in the Office Action Summary of the next Office Communication.

### **Rejection under 35 U.S.C. § 102**

In the outstanding Office Action, claims 1-4 were rejected under 35 U.S.C. § 102(b) in view of European Patent Application No. EP 1065115 to Eguchi et al. (herein "EGUCHI"). This rejection is respectfully traversed.

Amended independent claim 1 is directed to an apparatus for preventing slipping of a vehicle on a slope, in which "changing the diameters of the variable orifices provides an adjustable delay in reducing the brake force of the wheel cylinders." Amended independent claim 1 also recites, *inter alia*, that "the adjustable delay is adjusted according to a driving habit or a driving experience of a driver," support for which is found in the specification at least at page 8, lines 17-19.

In a non-limiting example, an adjustment to an adjustable delay in reducing the brake force of the wheel cylinders can provide a delay following braking appropriate to a particular driver or group of drivers, which is neither so short so as to permit sliding backwards on a slope, nor so long so as to generate abrupt acceleration.

By contrast, EGUCHI at paragraph [0104] *et seq.* merely discusses a “restriction D” which “may be formed by the provision of a flow control valve.” However, EGUCHI does not teach or suggest at least an adjustable delay which “is adjusted according to a driving habit or a driving experience of a driver,” as recited in amended independent claim 1.

Accordingly, it is respectfully submitted that amended independent claim 1 and each of the claims depending therefrom patentably distinguish over EGUCHI, and it is respectfully requested this rejection be withdrawn.

### Conclusion

Consequently, in light of the above discussion and in view of the present amendment, this application is believed to be in condition for allowance.

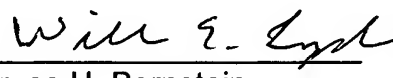
Accordingly, entry and consideration of the present Response, reconsideration of the outstanding Office Action, and allowance of the present application and each of the claims therein is respectfully requested.

The amendments to the claims which have been made in this Response, and which have not been specifically noted to overcome a rejection based on the cited art, should thus be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to have attached thereto.

Applicants have made a sincere effort to place the present application in condition for allowance and believe they have now done so.

If the Examiner has any questions concerning this Response or the present application, Applicants respectfully invite the Examiner to contact the undersigned at the telephone number listed below.

Respectfully submitted,  
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